

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, November 2, 2009
5:45 P.M.

Invocation by Reverend Jeri Wilkerson, First United Methodist Church of Mesa.

Pledge of Allegiance.

Mayor's Welcome.

Awards, Recognitions and Announcements.

CITIZEN PARTICIPATION

All citizens are permitted and encouraged to speak on agenda items. If you are interested in speaking on an agenda item, please fill out a blue card in the back of the room and give it to the City Clerk. When the Council considers the item, you will be called to the podium to provide your comments.

CONSENT AGENDA

All items listed with an asterisk (*) will be considered as a group by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember or citizen requests, in which event the item will be removed from the Consent Agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

(Members of the Mesa City Council will attend either in person or by telephone conference call).

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1. Take action on all consent agenda items.
- *2. Approval of minutes of previous meetings as written.
3. Take action on the following liquor license applications:
 - *3a. Christ the King Church

This is a one day Charitable event to be held on Saturday November 21, 2009 from 12:01 p.m. to 10:00 p.m. at 1551 E. Dana Avenue. **(District 4)**
 - *3b. The Dobson Association

This is a one day Civic event to be held on Saturday November 14, 2009 from 11:00 a.m. to 4:00 p.m. at 2455 W. Laguna Azul. **(District 3)**
 - *3c. Knights of Columbus, All Saints Council 9485

This is a one day Charitable event to be held on Saturday November 7, 2009 from 4:00 p.m. to 7:00 p.m. at 1534 N. Recker Road. **(District 5)**
 - *3d. Knights of Columbus, All Saints Council 9485

This is a one day Charitable event to be held on Saturday December 5, 2009 from 4:00 p.m. to 7:00 p.m. at 1534 N. Recker Road. **(District 5)**
 - *3e. Knights of Columbus, All Saints Council 9485

This is a one day Charitable event to be held on Saturday January 9, 2010 from 4:00 p.m. to 7:00 p.m. at 1534 N. Recker Road. **(District 5)**
 - *3f. Knights of Columbus, All Saints Council 9485

This is a one day Charitable event to be held on Saturday February 6, 2010 from 4:00 p.m. to 7:00 p.m. at 1534 N. Recker Road. **(District 5)**

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- *3g. Knights of Columbus, All Saints Council 9485
This is a one day Charitable event to be held on Saturday
March 6, 2010 from 4:00 p.m. to 7:00 p.m. at 1534 N.
Recker Road. **(District 5)**

4. Take action on the following contracts:

- *4a. Dollar Limit Increase for Residential Refuse Containers for
the Solid Waste Department **(Citywide)**

The Purchasing Division recommends increasing the
purchase order by \$78,800.00 to the original contract with
Rehrig Pacific from \$675,671.71 to \$754,471.71 annually.

- *4b. Purchase of Replacement Firefighting Nozzle Tips for the
Fire Department **(Citywide)**

The Purchasing Division recommends authorizing purchase
from the lowest, responsible and responsive bidder, First In,
Inc. at \$49,683.65.

- *4c. Purchase of a Google Search Hardware and Software for
the City's Intranet Site for the Information Technology
Department **(Citywide)**

The Purchasing Division recommends authorizing purchase
from the State of Arizona Contract with Dell Marketing L.P.
at \$40,483.20, including applicable taxes.

- *4d. Purchase of Two (2) Replacement Heavy Duty Construction
Grade Trucks for the Water Resources Department (Fully
Funded by FY 09/10 Vehicle Replacement Fund) **(Citywide)**

The Purchasing Division recommends awarding the contract
to the lowest, responsive and responsible bidder,
McCandless of Arizona at \$226,570.92, including applicable
sales tax.

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*4e. Purchase of One (1) SUV (Replacement) for the Police Department (Fully Funded Asset Forfeiture [RICO] Funds) **(Citywide)**

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Midway Chevrolet at \$48,371.18, including up-fitting costs and applicable sales tax.

*4f. Term Contract for a Pawnbroker-Secondhand Store Information Database for the Police Department (Fully Funded Pawn Transaction Fee Revenues) **(Citywide)**

The Purchasing Division recommends awarding the contract to the highest scored proposal, LeadsOnline LLC at \$32,242.00 annually.

*4g. Renewal of the Term Supply and Maintenance Contract for Fire Extinguishers for the Fire Department **(Citywide)**

The Purchasing Division recommends authorizing a one-year renewal through the contract with American Fire Equipment Sales and Service Corp. at \$43,320.00, including applicable sales tax.

*4h. Purchase of Systems Furniture for the Mesa City Court (Fully Funded Law Enforcement Capital Bonds)

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Goodmans Interior Structures at \$477,407.50, including applicable taxes.

*4i. Ray Road and Hawes Road Improvements **(District 6)**

Ray Road Utilities Infrastructure, City Project 07-024-001;
Ray Road Street Improvements, City Project 01-205-001;
Hawes Road Street Improvements, City Project 04-847-001.
This project will construct one travel lane in each direction with a raised center median on both Ray Road and Hawes Road. New traffic signals, waterlines, wastewater line and storm drain infrastructure will also be constructed.

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Recommend award to the low bidder, CS & W Contractors, Inc., in the amount of \$8,527,696.39 plus an additional \$852,769.64 (10% allowance for change orders) for a total award of \$9,380,466.03. This project will be funded with the adopted FY 09/10 Street, Water, and Wastewater Bond Capital Programs.

*4j. Fraser Electric Substation Upgrade **(District 1)**

City Project 09-022-001. The purpose of this upgrade is to increase electrical efficiency and reduce electrical losses by upgrading the substation from a 4 kilovolt (kV) to a 12 kV.

Energy Resources has been upgrading the electric system to 12kV for energy savings, reliability and system performance.

Recommend award to the low bidder ESS International Corporation in the amount of \$248,648.00 plus an additional 24,864.80 (10% allowance for change orders) for a total award of \$273,512.80. This project will be funded with the adopted FY 09/10 Electric Capital Program.

*4k. Excess Liability Insurance

Recommend purchase of Excess Liability Insurance from Everest National Insurance Company for \$10 million liability coverage in excess of the City's \$3 million Self-Insured Retention (SIR). The cost of this policy is \$350,200.

Recommend purchase of 2nd layer excess liability insurance from Great American Assurance Company for an additional \$25 million in liability coverage. The cost of this policy is \$233,000.

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*4l. Property Insurance

Recommend purchase of Property Insurance from Travelers Insurance with coverage of \$300 million per occurrence with a \$50,000 deductible. This includes coverage for Boiler & Machinery with \$50 million sub-limits and a \$50,000 deductible. The cost of this policy is \$255,372.

*4m. Aviation Insurance

Recommend purchase of Airport Liability Insurance from Commerce & Industry Insurance Company (AIG) with \$0 deductible and \$50 million per occurrence coverage. The cost of this policy is \$15,443.

Recommend purchase of Aircraft Hull and Liability Insurance from Commerce & Industry Insurance Company (AIG) with \$0 deductible and \$50 million per occurrence. The cost of this policy is \$105,896.

*4n. RWCD Irrigation Pipeline on Ryan Road

City Project 07-054-001. This project will remove approximately 0.25 miles of irrigation ditch and replace it with concrete irrigation pipe. Work will take place in the Town of Gilbert within a dirt roadway owned and maintained by the Roosevelt Water Conservation District (RWCD).

Recommend award to the low bidder, Talis Construction Corporation in the amount of \$133,568.82 plus an additional \$13,356.88 (10% allowance for change orders) for a total award of \$146,925.70. This project will be funded with the adopted FY 09/10 Wastewater Capital Program.

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*4o. Alston House Rehabilitation (**District 4**)

City Project 06-034-003. The Alston House was the residence and office for Mesa's first African-American doctor. This project includes restoration of the exterior structure to meet historical requirements, with an upgrade of the interior to ensure functionality.

The recommended total award amount for this project is \$197,854.50, which is the base bid only without a change order contingency. Since the total funding for the project is \$192,000 as shown below, a deduction change order of \$20,000 will be issued once the contract is executed to remove an allowance in the base bid for an ornamental iron fence that was put in the bid to ensure we expended all of the available funding. The net available for change orders will then be the difference between the available funding and the new contract amount, which is \$14,145.50. Funding is available in the approved FY09/10 Community Development Capital Program – CDBG Funds (\$80,000), the State Heritage Fund Grant (\$100,000), and cash donations (\$12,000).

5. Take action on the following resolutions:

*5a. Approving the Mesa-Falcon Field Airport Master Plan and authorizing the City Manager to execute documents that are included as part of the Master Plan. (**District 5**)

*5b. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the Town of Gilbert, Maricopa County Department of Transportation and the City of Mesa for the construction, construction management, and operation and maintenance of the Power and Pecos Intersection Improvement Project. The Town of Gilbert is responsible for the maintenance of the intersection improvements and the City of Mesa is responsible only for the portion of Pecos Road that extends east from Power Road into the Mesa City Limits. (**District 6**)

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- *5c. Approving and authorizing the City Manager to execute an Intergovernmental Agreement with the Arizona Department of Transportation for the construction, construction management, operation and maintenance for the arterial reconstruction on Southern Avenue, Val Vista Drive to Greenfield Road. American Recovery and Reinvestment Act funding of \$1,610,892 is available for this project. **(District 6)**
- *5d. Approving and authorizing the City Manager to execute an Intergovernmental Agreement with the Arizona Department of Transportation for the construction, construction management, operation and maintenance for the arterial overlays on Sossaman Road, US 60 to Southern Avenue; Higley Road, US 60 to Southern Avenue and Harris Drive, Southern Avenue to 8th Avenue. American Recovery and Reinvestment Act funding of \$970,728 is available for this project. **(Districts 4 and 6)**
- *5e. Approving and authorizing the City Manager to execute an Intergovernmental Agreement with the Arizona Department of Transportation for the construction, construction management, operation and maintenance for the arterial reconstruction on Higley Road, Southern Avenue to University Drive. American Recovery and Reinvestment Act funding of \$2,559,279 is available for this project. **(Districts 5 and 6)**
- *5f. Approving and authorizing the City Manager to execute an Intergovernmental Agreement with the Arizona Department of Transportation for the construction, construction management, operation and maintenance for the arterial reconstruction on Brown Road, Recker Road to Power Road; and University Drive, Val Vista Drive to Greenfield Road. American Recovery and Reinvestment Act funding of \$2,333,331 is available for this project. **(Districts 2 and 5)**

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*5g. Approving and authorizing the City Manager to execute an Intergovernmental Agreement with the Arizona Department of Transportation for the construction, construction management, operation and maintenance for the arterial reconstruction on Alma School Road, Southern Avenue to Baseline Road; and Power Road, Broadway to Baseline Road. American Recovery and Reinvestment Act funding of \$3,310,569 is available for this project. **(Districts 3 and 6)**

*5h. Approving and authorizing the City Manager to execute an Intergovernmental Agreement with Gilbert Public Schools to secure funds in the amount of \$84,825 for one school resource officer assigned to Desert Ridge High School.

*5i. Approving and authorizing the City Manager to execute a Grant Agreement with the Arizona Criminal Justice Commission to secure grant funds in the amount of \$118,151 for training and travel, contract services and equipment for the Police Department's DNA Backlog Reduction Program.

*5j. Approving and authorizing the City Manager to execute a Memorandum of Understanding with the United States Immigration and Customs Enforcement (ICE) to allow holding facility detention officers and a detective assigned to the ICE Task Force to perform certain functions of an immigration officer.

6. Introduction of the following ordinances and setting November 16, 2009, as the date of the public hearing on these ordinances:

*6a. **Z09-17 (District 6)** The 4800 through 5200 block of South Hawes Road. Located south of the Loop 202 Freeway on the east and west sides of the Hawes Road alignment including the southeast corner of the Hawes and Ray Road alignments (230± acres). Rezone from AG-AF to C-2 and PEP with a BIZ overlay and a Council Use Permit, and the establishment of the Gateway 202 Airpark Development Master Plan. This request will allow for the development of a high quality master planned Mixed Use Employment area with office, retail, hotel, and urban living components. Brad Hansen, 202 Holdings, owner; Stephen Earl, Early, Curley and Lagarde P.C., applicant.

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P&Z Recommendation: Approval with conditions.
(Vote: 5-0-1, Boardmember Coons abstained, Boardmember Perkinson absent)

- *6b. **Z09-19 (District 4)** 1265 South Pima. Located west of Mesa Drive and south of Southern Avenue (2.13± acres). Rezone from C-2 to C-3 and Site Plan Review. This request will allow an existing building to be used for wholesale of plumbing and HVAC equipment. Mark Shill, owner; Tim Nielsen, applicant.

P&Z Recommendation: Approval with conditions.
(Vote: 5-0-1, Boardmember Coons abstained and Boardmember Perkinson absent)

- *6c. **Z09-21 (District 6)** 7417 South Hawes Road. Located at the northeast corner of Hawes Road and Germann Road (55± acres). Rezone from AG to M-1 BIZ and O-S and Site Plan Review. This request will allow for the development of a movie production studio. Gateway Airport Partnership/Germann and Hawes Limited Partnership/Vince Stark, owner; Nathan Cottrell – EST, Inc., applicant.

P&Z Recommendation: Approval with conditions.
(Vote: 6-0, Boardmember Perkinson absent)

- *6d. Repealing Title 5, Chapter 12 of the Mesa City Code related to massage establishments and adopting a new Title 5, Chapter 12 that strengthens oversight of massage establishments.

7. Items from citizens present. (Maximum of three speakers for three minutes per speaker).